

**d) Remarks**

Claims 1, 15 and 17 have been amended. Accordingly, claims 1-20 are currently pending. Support for these amendments can be found in the specification at page 3, in the third full paragraph. Thus no new matter is added.

**Remarks regarding 35 U.S.C. § 102(b)**

Claims 1, 8, 9, 11-15 and 17-20 stand rejected, under 35 U.S.C. § 102(b), as allegedly anticipated by Dooley et al. (U.S. Patent No. 5,942,440; "Dooley"). Applicant respectfully traverses this rejection.

Applicant has amended claims 1, 15 and 17 (all of the independent claims) to recite that the sensors detect chemical or biological agents that may pose a biological warfare or terrorism threat to the agricultural operation. In contrast, Dooley is directed to the detection of organic contaminants in a water supply. There is no disclosure or suggestion in Dooley of testing for agents that can be used for warfare or terrorism.

As Dooley does not anticipate the claimed invention, the rejection of claims 1, 8, 9, 11-15 and 17-20, under 35 U.S.C. § 102(b), is moot. Applicant respectfully requests that it be withdrawn.

**Remarks regarding 35 U.S.C. § 103(a)**

Claims 2-7, 10 and 16 stand rejected, under 35 U.S.C. § 103(a), as allegedly obvious over Dooley in view of Lee et al. (U.S. Patent No. 5,789,183; "Lee"). Applicant respectfully traverses this rejection.

Dooley is directed to a highly efficient testing method and apparatus which enables the analysis of a water supply for organic contaminants. Lee is directed to monoclonal antibodies useful in the serological detection and identification of rice blasts. This combination does not suggest applicant's invention.

As amended, the claimed invention is directed to a methods and systems comprising sensors designed to detect biological warfare or terrorism threats from chemical or biological agent that enter the geographic area. Neither Dooley or Lee disclose or suggest detection methods designed to detect biological warfare or terrorism threats.

Thus, Dooley in view of Lee does not suggest applicant's claimed invention and the rejection of claims 2-7, 10 and 16, under 35 U.S.C. § 103(a), is overcome. Applicant respectfully requests that it be withdrawn.

### **Conclusion**

The application is in condition for allowance and the prompt issuance of a Notice of Allowance is respectfully requested. If there are any additional fees due with the filing of this Response, not otherwise accounted for herein, including any fees for a further extension of time not accounted for herein, applicants respectfully request that extension and also request that any and all fees due be charged to Deposit Account No. 03-1952.

Respectfully submitted,  
Morrison & Foerster LLP

Date: June 7, 2004

By 

James Remenick  
Registration No. 36,902

**Customer No. 25227**  
Morrison & Foerster LLP  
1650 Tyson's Blvd., Suite 300  
McLean, VA 22102  
(703) 760-7100 (telephone)  
(703) 760-7777 (telecopier)